

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Marcia K. Petersen,

Civil No. 08-4771 (RHK/JJK)

Plaintiff,

**ORDER**

v.

Michael J. Astrue, Commissioner  
of the Social Security Administration,

Defendant.

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The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated May 15, 2009. No objections have been filed to that Report and Recommendation in the time period permitted. Based upon the Report and Recommendation of the Magistrate Judge, and upon all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

**IT IS ORDERED** that:

1. The Report and Recommendation (Doc. No. 15) is **ADOPTED**;
2. Plaintiff's Motion for Summary Judgment (Doc. No. 5), is **DENIED**;
3. Defendant's Motion for Summary Judgment (Doc. No. 12), is **GRANTED**;
4. The decision of the Commissioner of Social Security is **AFFIRMED**; and
5. This case is **DISMISSED WITH PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: June 11, 2009

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge